

LINK:

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 13-9517-GAF (MAN _x)	Date	June 9, 2014
Title	Karla Fuentes, et al. v. Bayer Healthcare Pharmaceuticals, Inc.		

Present: The Honorable	GARY ALLEN FEESS		
Stephen Montes Kerr	None	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
None	None		

Proceedings: (In Chambers)

ORDER RE: MDL PROCEEDINGS

This is a products liability case involving Defendant's Mirena® IUD device. That device is the subject of proceedings in In re Mirena® Products Liability Litigation, MDL No. 2434. The Court requested a status report regarding this case and its connection to the MDL proceedings.

The parties have now filed a joint statement indicating that all plaintiffs except for Karla Fuentes and Donna Lewis are appropriate for transfer to the MDL judge because their claims involve questions of fact that are common to the other transferred actions. The parties do not include Fuentes and Lewis in the list because plaintiffs counsel has been unable to locate either of them. Counsel requests that their claims be severed so that the remaining claims can be tagged for transfer. Defendant does not oppose but does not join.

Accordingly, the Court orders as follows:

1. The claims of Fuentes and Lewis are ordered severed from the claims of the remaining plaintiffs pursuant to Rule 21 of the Federal Rules of Civil Procedure.
2. Plaintiff counsel is ORDERED TO SHOW CAUSE why the claims of Fuentes and Lewis should not be dismissed for lack of prosecution. The response to the OSC is due no later than the close of business on Wednesday, June 18, 2014.

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3. The parties are forthwith to take appropriate steps to tag the remaining plaintiffs and their claims for transfer to MDL 2434.

IT IS SO ORDERED.

Initials of Preparer

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SMO
